

### REMARKS

Applicants request favorable reconsideration and allowance of the subject application in view of the preceding amendments and the following remarks.

Initially, this will confirm the Examiner's comments in the Examiner-Initiated Interview Summary, which was mailed on June 1, 2004, in this application. In that interview, the Examiner advised Applicants' undersigned representative that the Office Action mailed on April 20, 2004, inadvertently comprised a copy of the first Office Action, so that the Examiner would mail out a new Office Action replacing that former Office Action. Applicants, therefore, are now responding to the instant Office Action, which is dated June 1, 2004.

Also, at this time Applicants request favorable consideration of the material submitted in the Information Disclosure Statement filed on December 11, 2000. In an attachment to the Office Action dated October 17, 2003, the Examiner struck through the citations listed, and noted in hand, on the PTO-1449 form, which accompanied that original paper, that "no copies are of record." Applicants, together with their Amendment filed on January 20, 2004 (Tuesday After Federal Holiday), submitted additional copies of those citations, with a request that the Examiner consider the cited documents. In the above-noted Office Action, however, the Examiner has not yet indicated consideration of the cited documents. Accordingly, for the Examiner's convenience, Applicants submit herewith another copy of the Information Disclosure Statement filed on December 11, 2000, together with a copy of the U.S. Patent and Trademark Office date-stamped postcard receipt indicating the filing of those documents on that date. Inasmuch as Applicants have twice submitted the documents referenced in that Information Disclosure

Statement, Applicants request that the Examiner initial and return a copy of the PTO-1449 provided herewith, indicating his consideration of those documents. Favorable indication is requested.

On another formalities note, the Examiner states in the Office Action that the Amendment (filed on January 20, 2004) refers to changes to Figure 5, with no amended Figure 5 being of record. Applicants note, however, that the January 20, 2004, Amendment, on page 19, referenced changes to Figure 7, which changes Applicants note with appreciation have been approved by the Examiner. Accordingly, Applicants confirm that no changes to Figure 5 are necessary at this time. Favorable consideration is again requested.

Claims 1-7, 9, 10, 12-20, 22, 24, 25 and 27-31 are presented for consideration. Claims 1, 9, 12, 14, 16, 24 and 30 are independent. Claims 8, 11 and 23 have been canceled without prejudice or disclaimer. Claims 1-7, 9, 10, 12-20, 22, 24, 25 and 27-31 have been amended to clarify features of the subject invention. Support for these changes can be found in the original application, as filed. Therefore, no new matter has been added.

Applicants request favorable reconsideration and withdrawal of the rejections set forth in the above-noted Office Action.

Claims 16-20, 22 and 23 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The Examiner asserted that the phrase "said static bearing" in claim 16 at line 5 had no antecedent basis. Claim 16 has been amended in light of the Examiner's comments. Applicants submit, therefore, that this rejection has been overcome. Such favorable indication is requested.

Claims 1-20, 22-25 and 27-31 were rejected under 35 U.S.C. § 112, first paragraph. Specifically, the Examiner asserted that the subject specification, while being enabling for substituting nitrogen and helium in an X-ray lithography exposure chamber, does not reasonably provide enablement for any gases in any environment as claimed. In this regard, the Examiner further asserts that the specification does not enable any person skilled in the art to which it pertains, or with which it is most clearly connected, to practice the invention commensurate in scope with these claims. The Examiner cites as an example that a corrosive gas, such as nitrous oxide, would easily damage the recited static pressure bearing. Finally, the Examiner notes that the subject specification at page 8, lines 1-10, discusses that the subject invention is directed to X-ray lithography and, therefore, the Examiner recommends that the pending claims be so limited. The Examiner's contentions are respectfully traversed.

In response to the Examiner's contentions, Applicants respectfully submit that the subject invention is directed to an exposure apparatus. By way of example, the subject specification at page 8, lines 10-12, discusses that the exposure apparatus (of the present invention) is an exposure apparatus employing (for example) an  $F_2$  laser beam as an exposure beam. Accordingly, an exposure beam of the exposure apparatus can be an X-ray beam (as noted by the Examiner) or an  $F_2$  laser beam, for example. Accordingly, Applicants earnestly believe that the subject invention should not be limited to X-ray lithography. Nevertheless, in accordance with the Examiner's suggestion, Applicants have amended the pending claims to address a lithography technique or an exposure technique. Applicants respectfully submit that the subject disclosure is

enabling for the present invention, as claimed. Accordingly, Applicants request favorable reconsideration and withdrawal of the rejection under 35 U.S. C. § 112, first paragraph.

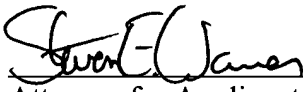
Applicants note with appreciation that claims 1-20, 22-25, and 27-31 have been indicated as being allowable if they are rewritten to overcome the rejection under 35 U.S.C. § 112, discussed above. For the reasons noted, above Applicants submit that these claims have been so rewritten, so that claims 1-7, 9, 10, 12-20, 22, 24, 25 and 27-31 should be deemed allowable.

Applicants further submit that this Amendment After Final Rejection clearly places this application in condition for allowance. This Amendment was not earlier presented because Applicants believed that the prior Amendment placed the application in condition for allowance. Accordingly, entry of the instant Amendment, as an earnest attempt to advance prosecution and reduce the number of issues, is requested under 37 CFR 1.116.

Favorable reconsideration, withdrawal of the rejections is set forth in the above-noted Office Action and an early Notice of Allowance are also requested.

Applicants' attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address listed below.

Respectfully submitted,

  
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